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3 BILL NO. X- 77-06-26 (as amended)

4 ANNEXATION ORDINANCE NO. X- 04-79.

5 An ORDINANCE annexing certain territory to the
6 City of Fort Wayne, and including the same in
7 Councilmanic District No. 2

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
WAYNE, INDIANA:

9 SECTION 1. That the following described territory be, and
10 the same is hereby, annexed to and made a part of the corporation of
11 the City of Fort Wayne, Indiana, ^{to-wit:}
12 *effective December 31, 1979*

13 Commencing at the intersection of the centerline of section
14 33, T 31, R 13 E and the north right-of-way line of Hicksville
15 Road (East State Blvd.); thence northeasterly along the north
16 right-of-way line of Hicksville Road (East State Blvd.), this
17 line also being the present corporation limits, to the east line
18 of the northwest $\frac{1}{4}$ of section 34, T 31 N, R 13 E; thence south
19 along said east line of northwest $\frac{1}{4}$ of section 34 (assumed to
20 be the northerly projection of west line of lot #2 in Browning
21 Subdivision of Kercheval Reserve) to the northwest corner of
22 lot #2 in Browning Subdivision of Kercheval Reserve as recorded
23 in deed book W, pages 387-388; thence continuing in a southerly
24 direction along the west line of said lot #2 in Browning Sub-
25 division to a point located 262.68± feet north of the southwest
26 corner of said lot #2 in Browning Subdivision, said point more
27 particularly described as being the northwest corner of lot #77
28 of Lake Forest Extended, Section III as recorded in plat book 33,
29 pages 19-20; thence east on a line parallel to and 262.68± feet
30 north of the south line of Lots 1 & 2 of said Browning Subdivision
31 to the westerly right-of-way line of Maysville Road (Lake Avenue)
32 thence southwesterly on the west right-of-way of Maysville Road
33 to the west line of said Kercheval Reserve; thence in an easterly
34 direction along the north right-of-way line of North River Road
35 to east line of Kercheval Reserve; thence north along the east
line of Kercheval Reserve to the north line of Valley Meadows
Section III; thence west along the north line of Valley Meadows
Section III to the east right-of-way of Maysville Road; thence
northeasterly along the east right-of-way line of the Maysville
Road to the south right-of-way line of Hicksville Road (East
State Street); thence west along the south right-of-way line of
Hicksville Road to a projection of the west right-of-way line of
the Lahmeyer Road; thence north along said west right-of-way line
of Lahmeyer Road to the south right-of-way line of Trier Road;
thence west along south right-of-way line of Trier Road to
centerline of section 33, T 31 N, R 13 E, thence south on said
centerline section 33 to intersection of north right-of-way line
of Hicksville Road the point of beginning. An area of approxi-
mately 800 acres.

SECTION 2. It is the policy of the City of Fort Wayne to
furnish the above described territory within a period of (3) three years,
governmental and proprietary services substantially equivalent in stan-
dard and scope to the governmental and proprietary services furnished by
the annexing city to other areas of the city which have characteristics
of topography, patterns of land utilization and population density similar
to said described territory.

APPROVED AS TO FORM
AND LEGALITY,

H. D. Miller
H. D. MILLER
CITY ATTORNEY

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3 SECTION 3. Governmental and proprietary services which will
4 be provided to the described territory are outlined in the fiscal plan
5 for the territory developed by the Department of Community Development
and Planning, which plan was examined, approved and adopted by the
Common Council prior to the passage of this Ordinance.

6 SECTION 4. Said annexed territory shall be part of Council-
7 manic District No. 2 of the City of Fort Wayne, Indiana, as described
in Section 2-9 of Article II of the Code of the City of Fort Wayne,
Indiana 1974.

8 Amended by the
9 Common Council
10 After its passage, approval by the Mayor and sixty days after final
11 publication thereof as required by law, this Ordinance shall be in full force and effect. JHL
12 Interim
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James S. Hulme
Councilman

Read the first time in full and on motion by Stier, seconded by

Heago, and duly adopted, read the second time by title and referred to the Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock M., E.S.T.

DATE: 6-14-77

Charles W. Hettman

CITY CLERK

Read the third time in full and on motion by Stier

seconded by D. Schmidt, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>2</u>	_____	_____	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>HINGA</u> (Last Voter)	<u>X</u>	_____	_____	_____	_____
<u>HUNTER</u>	<u>X</u>	_____	_____	_____	_____
<u>MOSES</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	<u>X</u>	_____	_____	_____
<u>SCHMIDT, D.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	_____	<u>X</u>	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 6-26-77

Charles W. Hettman

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE

(RESOLUTION) No. X-04-77 on the 26th day of June, 1977.
ATTEST: (SEAL)

Charles W. Hettman

CITY CLERK

Winfield E. Mayo Jr.

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1977, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Hettman

CITY CLERK

Approved and signed by me this 5 day of July, 1977, at the hour of 3:30 o'clock M., E.S.T.

Robert Elmslie

MAYOR

Handwritten notes
an amendment
to
12/31/79

Bill No. X-77-06-26 *(as amended)*

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 2
(Blackhawk)

AMENDMENT: effective date December 31, 1979

have had said Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance ~~DO~~ PASS. *(as amended)*

JAMES S. STIER - CHAIRMAN

WILLIAM T. HINGA - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JOHN NUCKOLS

SAMUEL J. TALARICO

6-26-79
DATE

CONCURRED IN
CHARLES W. WESTERMAN, CITY CLERK

*Public Hearing 12/25/79
1:30*
*Hold - further discussion
6/24/79*
~~Hold~~ 6/24/79
~~Hold~~ 6/24/79
~~Hold~~ 6/24/79

Jun 1st

Vivian G. Schmidt

Samuel J. Talarico

RESOLUTION OF THE CITY PLAN COMMISSION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana referred a proposed annexation for the BLACKHAWK area, BILL NO. X-76-06-26; and,

WHEREAS, the City Plan Commission reviewed such proposed ordinance and fiscal plan on February 26, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that the advantages to the City outweigh the disadvantages, the annexation will be in the best interest of and a benefit to the area involved and of and to the City, the City would continue to realize an active growth from the standpoint that development has already taken place around the City, and the annexation will not be detrimental to and does not conflict with the overall City plan;

BE IT FURTHER RESOLVED that the Commission proposes December 31, 1979 as the effective date for Bill No. X-76-06-26;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council.

This is to certify that the above resolution was adopted at the meeting of the City Plan Commission held on February 26, 1979.

Thomas G. Adams

Thomas Adams
Secretary

Certified and signed this 7th day of March, 1979.

BLACKHAWK

Bill No. X-77-06-26

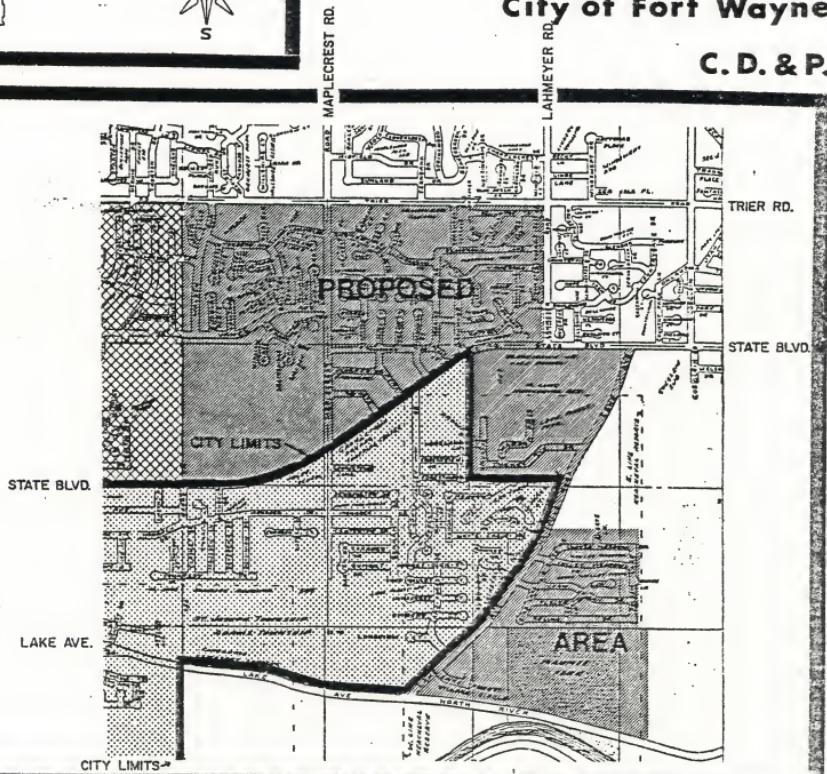
Ordinance No.

Effective Date

Revised MARCH 7, 1979

City of Fort Wayne

C. D. & P.



INTRODUCTION

The Fort Wayne community continues to grow every year, with most of the growth occurring outside the existing city limits. St. Joseph Township alone is expected to increase by more than 25,000 people between 1970 and 1990. As the community grows, the City must also grow in order to be financially capable of providing the municipal services demanded by residents of the urbanized areas. Annexation, or the redefinition of corporate limits, is one method a city may employ to keep up with the growth occurring in the community and insure the economic well-being of the city and its residents.

The Blackhawk annexation area, located north of Fort Wayne in St. Joseph Township, is just one segment of Fort Wayne's overall annexation strategy. It is the goal of the City of Fort Wayne to annex all "urban" land contiguous to city limits. The Blackhawk area is considered urban since it has more than three persons per acre and is more than one-eighth contiguous to the city limits.* Because the area is defined by existing city limits on parts of its western and southern boundaries, it is highly suitable for adjacent growth which allows for the orderly and efficient delivery of services. In addition, urbanization is expected to continue north of this area, making Blackhawk a vital link to this future development.

The Blackhawk area meets the necessary criteria for annexation in the three ways stipulated by Indiana law (I.C. 18-5-10-25). It is at least one-eighth (1/8) contiguous to the city limits, has at least three (3) persons per acre of land, and a fiscal plan for providing municipal and proprietary services to the area has been developed.

The following report describes the area, sets forth a municipal service plan, summarizes the financial impact of annexation upon the City, and recommends a course of action.

* Annexation: Policy and Program Study, Community Development and Planning, 1976.

BASIC DATA

1. Location

Generally located east of the City of Fort Wayne in St. Joseph and Adams Townships as follows: south of Trier Road, north of North River Road and the present corporate limits, east of the present city limits, and west of Lahmeyer Road and Maysville Road including Kern Valley Farm Addition area.

2. Size

950 acres or 1.48 square miles.

3. Population/Density

According to the 1970 Census of Housing statistics, there are an estimated 5050 people living in the Blackhawk annexation area*. The present density for the area is 5.31 persons per acre.

4. Buildings

Type	Number	Condition
Industrial	0	
Commercial	8	Excellent-Fair
Residential (R1)	1529	Excellent-Fair
Residential (R2)	222	Good-Fair

5. Land Use

Residential	57%
Undeveloped	34%
Public	6%
Commercial	2%
Recreational	1%
	100%

*1970 Census of Housing, Block Statistics; Bureau of Census, U.S. Department of Commerce, September, 1971.

6. Zoning

Percent	County Zone	Description	City Zone	Description
64%	RS-1	Suburban Residential	R-1	Single Family Residential
12%	RS-2	Multiple Family Res.	R-3	Multiple Family
4%	C-1A	Professional Services	B1A	Limited Business
1%	C-1	Limited Commercial	B1B	Limited Business
16%	RSP-2	Planned Unit Development "Duplex"		County Standards Enforced
3%	RSP-3	Planned Unit Development "Multiple"		County Standards Enforced

7. Planning

At this time, thirty-four percent (34%) of the Blackhawk annexation area is undeveloped. The Allen County Comprehensive Plan considers this area as suburban residential in its 1990 Land Use Plan*. Thus, Blackhawk is expected to absorb some of the urban growth likely to occur in Allen County and is appropriate for such growth.

Blackhawk is already 32% contiguous to the corporate limits. Located just west of this area is a pending annexation known as New Glenwood Extended. If this area comes into the City, the Blackhawk area will be approximately 45% contiguous to the corporate limits. Therefore, it is appropriate for adjacent urban growth. Such growth allows for more efficient planning and delivery of urban services and minimizes the problems of scattered growth. The concept has been adopted by the County and City Plan Commissions. Annexation then, furnishes the means for providing necessary services to the area.

Access to the Blackhawk area is already easily available from East State Blvd. and Lake Avenue, Trier, Maplecrest, Lahmeyer and Maysville Roads. There are no immediate improvements scheduled for these streets; however, the Streets and Roads Section of this report describes the long range plans for transportation improvements. These plans include the possibility of a Maplecrest corridor, which would cross the Maumee River and connect with Adams Center.

Another capital improvement plan for the area is the development of Maumee Park. Once the park is located within the city limits, it would be high on the priority list for capital improvements.

* Allen County Plan Commission, Allen County Comprehensive Plan, 1990 Land Use Map, May 1976.

MUNICIPAL SERVICES

State law requires that within three (3) years of annexation, the City provides the annexed area with "governmental and proprietary services substantially equivalent in standard and scope" to the services provided similar areas in the City. (I.C. 18-5-10-25(c)). This report contains a fiscal plan for doing so.

In 1970 the Fort Wayne City Council adopted Resolution No. R-83-70 (Bill No. R-70-07-24) that set forth a policy for providing services to newly annexed areas. This plan follows the directives of Resolution R-83-70 while conforming to existing laws, rules and regulations.

Municipal services are analyzed in terms of the needs of the Blackhawk annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats the Blackhawk area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new street lighting, the standard service provision process will be used just as it is used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include resident petitioning and financial participation as well as the routine capital improvement procedures of the City. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services and estimated costs for doing so are presented in the following reports. Needs will be constantly evaluated and necessary adjustments made so that the standard of "substantially equivalent" is met.

1. Police

The Fort Wayne Police Department will become responsible for servicing the Blackhawk area immediately upon annexation. This service generally includes the prevention and detection of criminal activity, the apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

At the present time, there are 1.606 policemen per 1,000 population. With an estimated population of 5050 people in this annexation area, 8.8324 additional police officers and civilian personnel will be needed.

The cost of additional equipment needed to support this area is also computed on a per capita basis. The table below summarizes the types of additions needed and their costs:

<u>Account Name</u>	<u>Cost</u>
3.3633 of a vehicle (veh., gas, parts, etc.)	\$ 42,041
3.3633 of a portable radio	4,540
8.0042 of a police officer	129,041
.8282 of a civilian	<u>7,793</u>
TOTAL plus fringe benefits for police officers:	\$183,415
	<u>25,808</u>
TOTAL (with fringe benefits)	\$209,223

The Police Department must keep tabulations on the percentage of personnel and equipment necessary for the annexation. The Chief of Police will study the manpower allocation in the department and after evaluating all the parameters assign additional help where the new requirements demand it.

Funding for police services will come from local taxes, although any funds allocated to the General Fund can be used.

2.

Fire

The Fort Wayne Fire Department will provide immediate service to the Blackhawk area upon annexation. The services provided are the suppression of fire, fire prevention education, and fire inspections of churches and all commercial establishments.

The Fire Department will respond with fire-fighting equipment, materials and personnel to the proposed annexation area as it responds to similar locations within the city. Station #14, located on Reed Road, will be the first station to respond to the Blackhawk area. Station #10 and Station #13 may also be called to assist. It is the opinion of the Fire Chief that the service will be adequate for the proposed annexation area.

This annexation would not require additional personnel, equipment, nor fire stations. The only costs would be operating costs as listed below:

Annual Operating Cost*	\$1,847
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The source for funding for the Fire Department services is the General Fund.

* These costs are computed using housing density and average run figures.

The Fort Wayne Fire Department at this time, provides service to the area immediately west and south of the proposed annexation area. Therefore, immediate services will be provided with ease to this area upon annexation, with response time being within the acceptable range and nearly the same as that for adjacent areas.

3. Emergency Medical Service

Upon annexation, residents of Blackhawk will have, at their convenience, full time Emergency Medical Services. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention.

The Emergency Medical Service provided to the Blackhawk area will be "substantially equivalent" to the service provided to other areas within the city. The City is currently providing service to the immediate south and west of the annexation area, so response time should be nearly the same for the Blackhawk area as it is for these adjacent areas. It will also be within standards that are acceptable to the EMS department.

In addition to the regular EMS ambulance, the Fort Wayne Fire Department will also assist on calls in the Blackhawk area, just as it already does within the City. Therefore, the Fire Department, responding from Station #14 on Reed Road, will, on occasion, provide initial response and care. The Fire Department is training its personnel so that in the near future there will be a trained emergency medical technician at each station and on all runs. They will be able to administer medical treatment before the ambulance arrives to transport the victim.

In addition to service from the City of Fort Wayne, the annexation area will continue to benefit from mutual aid arrangements with the St. Joseph Township Fire Department.

So, for the Blackhawk area, initial response can come from Fire Station #14 on Reed Road. Ambulances will respond from Fire Station #13, located on Coliseum Boulevard, or, after 11 P.M., from Fire Station #1, located on Main Street.

In addition to emergency medical training for fire fighters, a number of other changes are being made to improve Emergency Medical Service. The Communications Department is being reorganized to better filter the calls, which will reduce the number of unnecessary runs. A fee system for use of Emergency Medical Service is also being considered at this time. This would substantially cut down the number of calls since those using the service would have to pay for it, and could of course, significantly improve the funding base for EMS. Continued, and even improved mutual aid agreements with St. Joseph Township will provide ongoing support for the emergency medical service and fire protection delivered by both jurisdictions.

The City of Fort Wayne is currently in the process of upgrading the Emergency Medical Service to include Advance Life Support (ALS). Those persons trained in ALS will be able to administer more advanced medical care than the first aid treatment supplied by the emergency medical technicians. The Advanced Life Support System should significantly improve the quality of service provided by the Emergency Medical Service.

As the City experiences growth through new construction and annexations, emergency medical services will have to be constantly evaluated to determine if the needs are being met.

Blackhawk is only one of several annexations for EMS to consider. Still if the steps to improve the service described above are insufficient for EMS to provide a desired level of service system-wide, expansion can occur. This would require an additional van and additional personnel (EMT's). Since these EMT's would be needed throughout the City, it is not necessary to attribute the entire personnel cost to this annexation.

Regardless of the eventual steps taken to develop EMS service, service in the Blackhawk annexation area will be substantially equivalent to that in similar areas within Fort Wayne as required by Indiana law. Service will be provided immediately.

After the impacts of this annexation and others are known, upgrading will take place. This plan has outlined planned actions that should handle this growth. Implementation will occur as the needs dictate.

In order to show the costs of this service for the Blackhawk area, three alternatives are outlined below.

Alternative A shows the cost for EMS for the Blackhawk area without a major expansion. The cost is calculated on a per capita basis. In 1977, EMS made approximately .08 runs per person. With 5,050 residents, the Blackhawk annexation would generate 404 additional runs. Using an average cost per run of \$25, the cost is shown below:

Alternative A

Annual Operating Cost: \$10,100

Alternative B shows the cost for EMS if an additional van is purchased. The operating cost would be the same as Alternative A since the same number of runs would be made to the Blackhawk area.

Alternative B

Van	\$30,000
Radio	1,700
Annual Operating Cost	10,100

Alternative C shows the cost for EMS for an additional van as well as enough personnel to man the van for three shifts. Although this ambulance would serve a much greater area than just the annexation area, Alternative C attributes the entire cost to this annexation.

Alternative C

Van	\$30,000
Radio	1,700
3 Medics (A Shift)	26,670
3 Medics (B Shift)	31,649
3 Medics (C Shift)	31,649
Uniforms	1,163

The source of funding for Emergency Medical Service is the General Fund. The five-year financial summary illustrates all three of the above alternatives for Emergency Medical Service.

4. Solid Waste Collection

Under the terms of the present contract, the cost of solid waste collection is \$34.89 per household per year. With 1,329 single family dwelling units and 222 multi-family dwelling units, the total cost will be \$50,242 per year. If additional personnel are needed, they will be hired by the contractor. The City will pay this cost from the General Fund.

5. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in this area upon annexation. Traffic control involves the installation and maintenance of traffic control devices as well as surveys and investigations. The services provided by Traffic Engineering for this area will be comparable to the rest of the City six months after annexation.

Additional personnel will not be required for Blackhawk. Physical improvements scheduled to be made within the next three (3) years and their costs are listed below:

Operating Costs:

Annual Paint Program -

15,625' Painting 1 center-line and 2 edgelines at 4.7¢	
per foot (Labor & Material)	\$734.38
5 Crosswalks (Labor & Material)	<u>25.00</u>
TOTAL OPERATING COSTS:	\$759.38

Capital Costs:

Signing -

<u>Sign</u>	<u>Size</u>	<u>No Required</u>	<u>Cost</u>	<u>Total Cost</u>
STOP	30 x 30	15	22.95	343.80
YIELD	36 x 36	2	31.65	63.30
STREET NAME	6 x 30	74	30.80	2279.20
SPEED LIMIT 40	24 x 30	4	17.70	70.80
SPEED LIMIT 35	24 x 30	3	17.70	53.10
SPEED LIMIT 30	24 x 30	2	17.70	35.40
SPEED LIMIT 25	24 x 30	10	17.70	177.00
WHEN CHILDREN PRESENT	18 x 24	10	12.50	125.00
DEAD END	24 x 24	5	14.85	74.25
NO PARKING	12 x 18	7	8.20	57.40
DOUBLE ARROW	43 x 24	1	28.55	28.55
SCHOOL CROSSING	30 x 30	2	22.95	45.90
ADVANCE SCHOOL WARNING	30 x 30	1	22.95	22.95
TOTAL		136		\$3,376.65

	<u>Size</u>	<u>Number Required</u>	<u>Cost</u>	<u>Total Cost</u>
POSTS	12' 3 lb	49	19.20	940.80
	12' 2 lb	94	13.80	1297.20
	10' 2 lb	13	8.40	109.00
TOTAL		156		\$2347.20
			LABOR	715.00
			FIRE ALARM	4500.00
TOTAL CAPITAL COSTS:				\$10,938.85

Improvements are made according to priority and as funds become available. Other specific problems will be studied in depth after the annexation to determine the most workable solutions.

The source of funding for the scheduled improvements and/or Traffic Engineering service are the General Fund, Revenue Sharing Funds, and occassionally, Motor Vehicle Highway Funds.

6.

Street Lighting

Presently, in the Blackhawk area, there are a number of lights along residential streets. Those lights, which are currently being rented from Indiana and Michigan Electric Company, would be paid for by the City of Fort Wayne (both energy and maintenance costs). In some areas, the existing lights are not at city standard (incandescent or ornamental on wooden poles). These lights are not being rented from Indiana and Michigan and will not be maintained by the City. However, the City will pay the energy costs of these lights.

It is the goal of the City to light every unlit intersection in the city. In the Blackhawk annexation area this would require approximately 75 lights. Listed below are the costs of standard intersection lights for Blackhawk:

CAPITAL COSTS:

<u>Number of Poles</u>	<u>Unit Price</u>	<u>Cost</u>
75	\$550	\$41,250

OPERATING COSTS:

	<u>Number of Poles</u>	<u>Unit Price</u>	<u>Cost</u>
Maintenance	75	8.67	\$650.25
Energy	75	13.33	<u>999.75</u>
TOTAL OPERATING COSTS:			\$1650.00

These lights would be funded 100% by the City of Fort Wayne. Capital costs would come from the Street Lighting Fund. The fund is composed of various combinations of Revenue Sharing monies, Light Lease Fund, General Fund, and property tax revenue, and is subject to change from year to year. For our purposes, we attribute these capital costs to property tax revenue (See Five Year Summary). Operating costs would also be paid by the City.

If residents desire additional street lighting, they must petition for it. Petitions will be treated equally with those from other areas. Priority will be assigned on the basis of need and filing date. The City of Fort Wayne would pay the cost as funding is secured. Listed below are the costs of lighting the entire addition with standard residential lighting:

CAPITAL COSTS:

<u>Number of Poles</u>	<u>Unit Price</u>	<u>Cost</u>
395	\$550	\$217,250

OPERATING COSTS:

<u>Number of Poles</u>	<u>Unit Price</u>	<u>Cost</u>
Energy	395	\$13.33
Maintenance	395	\$ 8.67
		<u>\$5265.35</u>
		<u>3424.65</u>

TOTAL OPERATING COSTS: \$8690.00

If residents desire ornamental lighting, they must pay the difference between the capital cost of standard and ornamental lighting. The City will still pay the operating costs.

Lighting of arterial and secondary traffic streets such as Maplecrest Road, Maysville Road, State Street, and North River Road is done in accord with the City's regular Capital Improvement programming process or in conjunction with arterial street improvement projects. Funding for these projects could come from Federal Aid Urban Funds, Arterial Road & Street Funds, Revenue Sharing, or local funds. Refer to the Streets and Roads section for future plans of arterial capital improvement projects.

The costs of lighting these non-residential streets with Design "E" lighting is listed below:

CAPITAL COST:

<u>Number of Poles</u>	<u>Unit Price</u>	<u>Cost</u>
97	\$650	\$63,050

OPERATING COST:

	<u>Number of Poles</u>	<u>Unit Price</u>	<u>Cost</u>
Maintenance	97	\$ 8.67	\$ 840.99
Energy	97	13.33	<u>1293.01</u>
TOTAL OPERATING COSTS:			\$2134.00

7.

Streets and Roads

The Street Engineering Department will provide engineering services and construction supervision of all streets, alleys, and sidewalks to be constructed within the proposed annexation area. No additional engineering personnel or equipment will be required.

This annexation will add 15.99 miles of streets to the City total. General maintenance of these streets would then be the responsibility of the City. This service includes snow and ice removal, mowing along the roadside, leaf pick-up, and surface maintenance. The average cost is. \$2,500 per mile of street, so Blackhawk streets and roads would cost approximately \$39,975 a year to maintain.

The number of new miles of street added to the present street system and their conditions are listed below by classification:

<u>Type of Street</u>	<u>Miles</u>	<u>Condition</u>
Arterial	2.61	Fair
Residential	13.25	Good-Excellent
Residential	.13	Fair

The estimated cost of improving all streets within this area to meet City standards and specifications is listed below:

<u>Type of Street</u>	<u>Number of Miles</u>	<u>Cost</u>
Arterial Streets	2.61	\$2,756,160
Residential Streets	.13	44,616
Sidewalks	2.705	<u>214,236</u>
TOTAL		\$3,015,012

Arterial street projects are undertaken in accordance with the City's Capital Improvement Program. These are funded with Federal Aid Urban monies or Local Road and Street monies.

At this time, Allen County is completing, within the annexation area, a repair project along Maplecrest that will put the street in decent condition. Maplecrest is being considered as a major north-south corridor that could cut south across the Maumee River and connect with Adams Center Road. An environmental impact statement is being prepared; and if Federal Aid Urban money is available, the corridor will be developed. This could be done in sections with construction possibly beginning in six or seven years.

No major improvements are programmed for the portion of State Street to be added to the City by this annexation.

Improvements are being planned for Lake Avenue west of this annexation. An environmental impact statement is being prepared for developing Lake from Anthony to Landin Road (east of this annexation). The first priority will be to four-lane Lake at least as far as due south of present Maplecrest. If Local Road and Streets or Federal Aid Urban funds can be obtained, construction could start in five to six years. Construction east of Maplecrest will require further analysis of the needs created by development in the area and the effects, as well as feasibility, of a Maplecrest-Adams Center corridor.

8.

Parks

Currently located within the annexation area is an area of 110 acres of land (Maumee Park) owned by the Fort Wayne Department of Parks and Recreation. The department will not consider developing this area until it is located within the city limits and additional funds are provided for maintenance.

Upon annexation, the Park Department will prepare development plans and begin to apply for funding for the planned capital improvements through sources such as Revenue Sharing, Park Foundation, etc. Once this funding is secured, the Park could not be developed until the park budget includes the necessary funds for the city share of development costs as well as maintenance costs. A commitment from the City Council to provide these funds is needed.

Maumee Park, by virtue of its size (110 acres), can be classified as a community park. However, it will not be designed to serve the entire community, but rather those people within a relatively close geographical range of the park. This park would not only be serving residents of the newly annexed area, but will also serve residents already within the city.

The estimated costs for capital improvement/maintenance are listed below:

Maumee Park

Capital Development	\$1,000,000
Maintenance	121,000

Another service of the Parks and Recreation Department to be provided in the Blackhawk Annexation Area is that of a funmobile stop. The first summer upon annexation, the City of Fort Wayne would take over payment for the funmobile stop located at Croninger School. An additional funmobile stop would also be located in the northern portion of Maumee Park to serve the Kern Valley Addition. The cost of the funmobile program for Blackhawk is listed below:

Funmobile Stops (2)

Van	\$ 400
Director	284
Leaders	216
Mileage & Gas	100
Equipment and Supplies	<u>1334</u>
 TOTAL	\$2334

Development of a neighborhood park in the northern portion of the annexation area is contingent upon school development which is unlikely at this time.

Small common areas, such as the one located within the Walden Addition, will remain the responsibility of the Association unless necessary operating/maintenance funds are provided in the Parks and Recreation Department's budget, or maintenance/operation is provided by others on a long term lease arrangement.

FORT WAYNE UTILITIES

Water and sewer services are currently being provided to the Blackhawk area by Fort Wayne City Utilities, and also, in some additions, by private suburban utilities. These services are paid for with user charges and tap fees and not through Civil City property tax revenues.

1. Water

A substantial portion of the Blackhawk area is already served with City water. This includes over 650 residential customers and 49 commercial customers. (See Map I)

The remaining 500+ residences are served by Puritan or Maplewood Park Utility. The City is in the process of trying to buy these private utilities - a move separate from annexation. If the City succeeds in purchasing these utilities some capital improvements may be necessary.

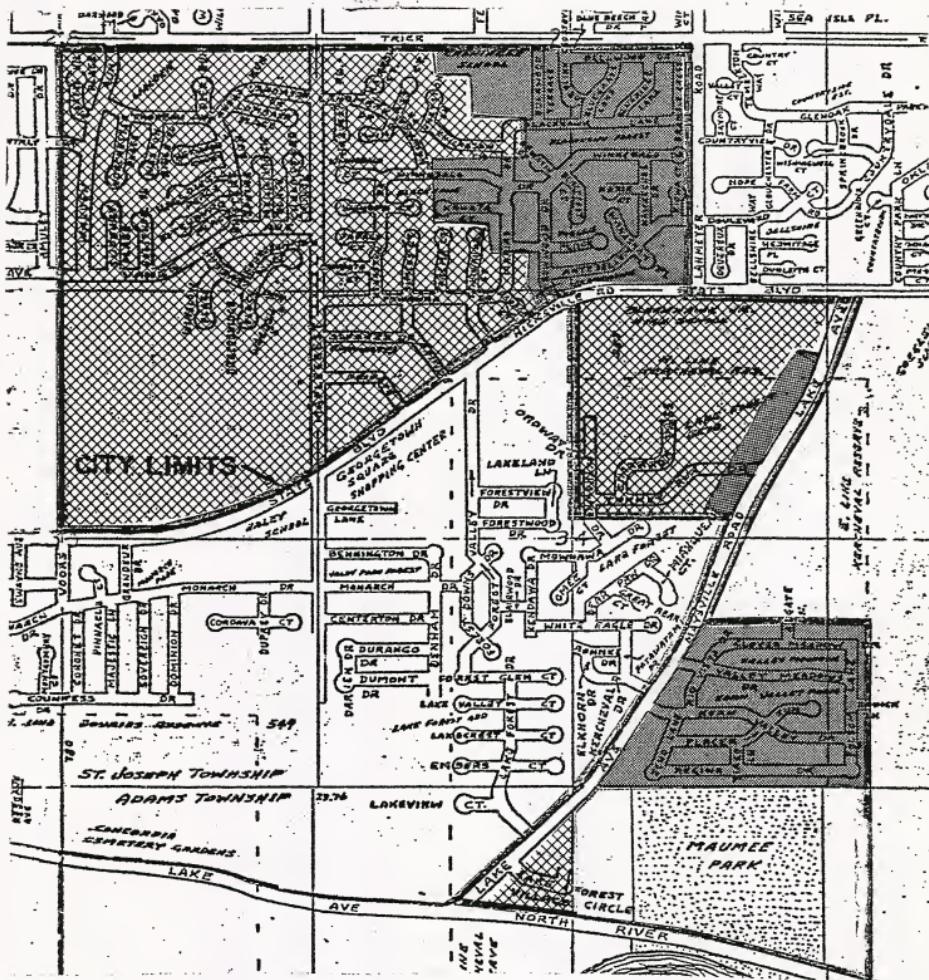
Construction of various feeder mains through or adjacent to this area will be necessary to provide direct service to property owners in Blackhawk and to adequately serve areas beyond Blackhawk. These mains are part of the Master Plan* to ultimately provide water service to the Fort Wayne - New Haven - Allen County Metropolitan area. This Master Plan shows that the Fort Wayne Water Utility has the capacity to serve this annexation area through its presently developed water supply reservoir system (i.e., St. Joseph River Reservoir, Cedarville Reservoir, and Hursttown Reservoir). In addition, the Three Rivers Filtration Plant is now being expanded to enhance the availability of treated water for the present city water service area as well as other surrounding areas.

The Utility is prepared to proceed with plans, specifications, bidding, and construction on any portion or all the additional feeder mains (along Maysville Road and along North River Road) as their need becomes apparent.

All of the presently platted streets within this annexation area are already served by the City, Puritan, or Maplewood Park Utilities. Other distribution mains which may be needed in areas not yet platted will be considered for construction and will be installed as the property owners adjacent to them petition for their respective installations, and as the method of funding can be established.

*Master Plan for Fresh Water Supply and Distribution, Department of Water Engineering, 1972.

MAP I



WATER SERVICE



CITY UTILITIES



PRIVATE UTILITIES

City policy requires residents to petition and pay for the installation of distribution mains. This is generally paid for on a cash basis by the property owners who directly benefit and who are willing to initially finance the cost. A recorded contract requires others to pay their respective share of the initial construction cost if they desire service within fifteen (15) years. Such shares are then collected and paid back to the initial parties financing the main. A bonding procedure may be used to assist property owners in paying the cost over ten years, similar to the Barrett Law procedures used for streets, sidewalks and alley pavements, and sewer construction.

Annexation has an effect on the rates charged to customers of the Fort Wayne Water Utility. Customers outside the city limits are charged a 35% surcharge on their water bills. This charge will be dropped when Blackhawk is annexed to the City.

This surcharge drop does not apply to those residents currently served by private utilities. However, the rate is subject to change if the City purchases those utilities, which is uncertain at this time.

2.

Fire Hydrants

The Civil City of Fort Wayne pays the Water Utility \$115.64 annually for each fire hydrant located within the City. With 96 fire hydrants located in the Blackhawk area, the annual cost for fire hydrants will be \$11,101.44.

3.

Sewers

A substantial portion of the proposed annexation area is already served by City Utilities sewers. The remainder is served by private utilities sewers. (See Map II)

As development takes place within the City Utilities certified service area sewers will be extended at the cost of the developer. Current sewer interceptors and the main treatment plant are adequate for handling the additional load from future development.

The City is currently attempting to buy the Diversified Utilities, the private utility company in Allen County. Once the purchase is completed, City Utilities will take over service and facilities throughout the entire annexation area.

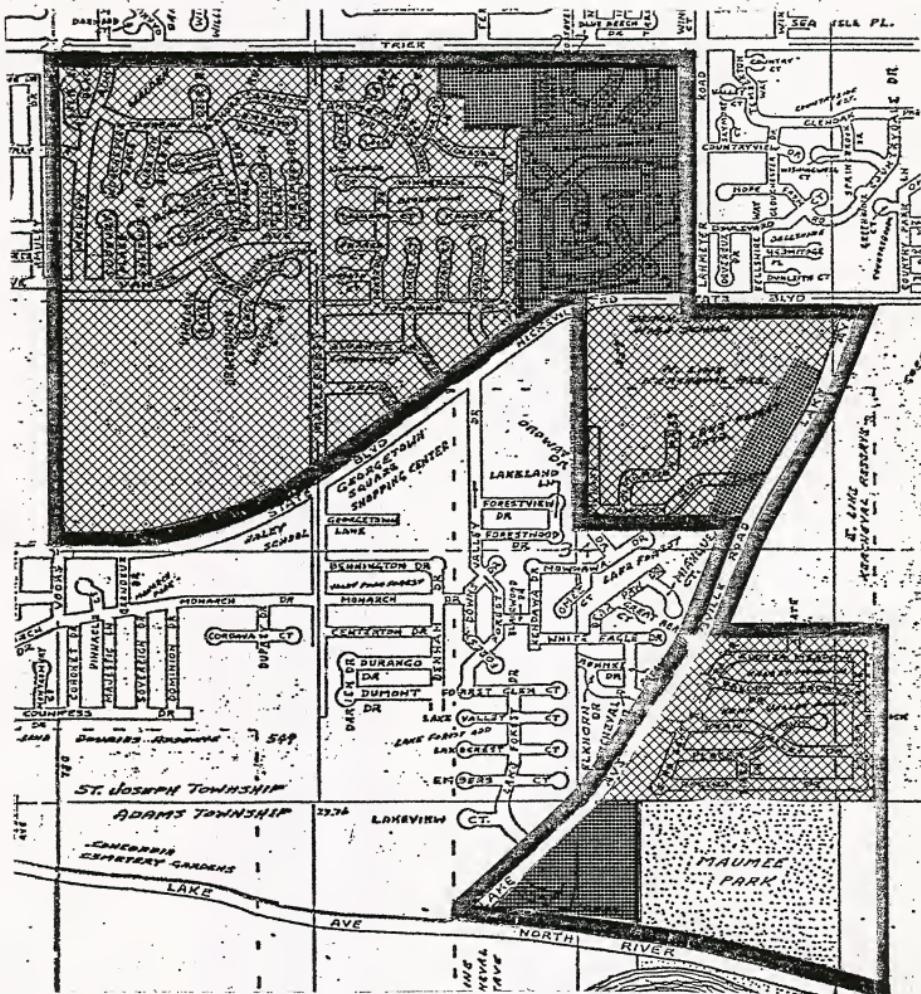
Although a final determination cannot be made before the purchase, it seems likely that some capital improvements will be required to get the private system up to City Utility standards. City Utilities has the capability of doing so, and will act to meet the physical needs.

4.

Storm Sewers

The area is presently served by existing storm lines that were approved by the County Surveyor. At the time of annexation, a detailed engineering study will be made to determine what upgrading will be required to bring these systems up to city standards.

MAP II



SEWER SERVICE

CITY UTILITIES

10

PRIVATE UTILITIES

The City will maintain the existing storm sewers that were either constructed to city standards or that presently appear upon the sewer records of the City. If the constructed storm sewers do not meet city standard, the City will not take them over for maintenance. It is the responsibility of the property owners to upgrade the storm sewers to meet city standards before the City will accept them for future maintenance.

In order to obtain public storm sewer improvements, the property owners must submit written petitions to the Board of Public Works. Upon the receipt of a petition and direction from the Board of Works, the Water Pollution Control Engineering Department will investigate the petition's request and make its recommendation for the public improvement. The area could then be serviced within one year.

It is the City's policy that the financing of storm sewers will be the responsibility of the property owners. Residents can pay their share through Barrett Law Assessments which allow payment over a ten (10) year period at 6% interest.

FINANCIAL SUMMARY

1.

Revenue

The assessed valuation for the Blackhawk area was determined by obtaining the assessed valuation of each piece of property from the Real Property Master File System and the St. Joseph and Adams Township Assessor's Offices. The land and real estate values for the total annexation area is \$15,981,112. Since each property owner is eligible for a \$1000 mortgage exemption and there are 1329 single family dwelling units, \$1,329,000 is deducted from the total assessed valuation. Thus, \$14,652,112 is the amount which determines the revenues derived from the city taxes. The City tax rate for 1979 is \$3.9068 per \$100 of assessed valuation. Therefore, the City would receive \$572,429 (1979 figure) in property tax revenue. The table below illustrates this more clearly:

Assessed Valuation	\$15,981,112
Mortgage Exemption	<u>1,329,000</u>
 TOTAL	\$14,652,112

Revenue from taxes = \$3.9068 x \$146,521.12 = \$572,429

There is another source of revenue for the City based upon population. The four sources are the Motor Vehicle Highway Tax, Alcoholic Beverage Gallonage Tax, Cigarette Tax, and Cumulative Capital. The table below gives an estimate of the monies to be received.

<u>Revenue Source</u>		<u>Blackhawk Population</u>	<u>Total</u>
MVH	\$9.37/CAP	5050	\$47,318.
Alcoholic Gal.	1.62/CAP	5050	8,181.
Cigarette	1.24/CAP	5050	6,262.
Cumulative Cap.	.4.62/CAP	5050	<u>23,331.</u>
 TOTAL			\$85,092.

The money received from the Alcoholic Gallonage and the Cigarette Tax are placed in the General Fund. The MVH revenue is placed in its own separate MVH fund. The Cumulative Capital revenue is placed in its own fund or upon approval of the City Council, it may be placed in the General Fund.

The amount of money the City receives from Federal Revenue Sharing, the Community Development Block Grant, and the Local Road and Street Fund is related to the City's population. Population is only one element of complex distribution formulas, so the direct contribution of Blackhawk cannot be calculated. Still, these funds should increase with population increases.

2. Expenditures

Expenditures reported in the Municipal Services section are summarized here. These are considered maximum costs - since Blackhawk's needs will be treated equally with other needs in the community. Capital improvement projects such as street lighting, must follow routine City procedures which often require petitioning, and implementation as funds become available.

Utility costs are not reported here as they are paid for by the property owners and only after they request the improvements.

<u>Service</u>	<u>Capital Cost</u>	<u>Operating Cost</u>
Police	4540	204,683
Fire	----	1,847
EMS		
Alternative A	----	10,100
Alternative B	31,700	10,100
Alternative C	31,700	91,131
Solid Waste Collection	----	50,242
Traffic Control	10,939	759
Street Lighting		
Intersections only	41,250	1,650
Total Residential	217,250	8,690
Arterial & Collectors	63,050	2,134
Streets and Roads		
Arterial	2,756,160	----
Residential		
(City Share 25%)	64,713	----
(Residents Share 75%)	194,139	----
Street Maintenance	----	39,975
Parks		
Maumee Park	1,000,000	121,000
Fummobile Only	----	2,334
Fire Hydrants	----	11,101

3. Five Year Summary

The Five Year Summary shows year by year expenditures for the first five years after annexation compared with the tax revenue the City will receive from the area.

The Five Year Summary includes the costs likely to be incurred in providing the necessary services such as police, fire protection, emergency medical service, solid waste collection and traffic control. These services are considered essential for the health and safety of the residents of the area. Street maintenance and fire hydrant rental are automatic with annexation so these costs are included. Other costs expected to be incurred within five years of annexation are also included. These include intersection lights (although they have often been funded through Revenue Sharing) and the operating cost of 2 Fummobile Stops. Street improvements and utility costs are not included since they will be undertaken only with resident participation and petitioning.

Below are three tables which compare expenditures to tax revenue for the annexation area. The expenditures in the three tables differ because of the three alternatives for Emergency Medical Service (EMS). The effect of each of the alternatives on the total amount of revenue to be gained by the city is shown below. (See the Emergency Medical Services Section for an explanation of each alternative.) For the purpose of these summaries, an effective date of December 31, 1979, is assumed.

Alternative A

<u>Year</u>	<u>Expenditures</u>	Property Tax Revenue	Population Based Revenue	<u>Total</u>
1980	367,380	----	85,092	-282,288
1981	456,579	631,102	85,092	+259,615
1982	418,258	662,657	85,092	+329,491
1983	446,281	695,789	85,092	+334,600
1984	476,182	730,578	85,092	+339,488

Alternative B

<u>Year</u>	<u>Expenditures</u>	Property Tax Revenue	Population Based Revenue	<u>Total</u>
1980	367,380	----	85,092	-282,288
1981	495,087	631,102	85,092	+221,107
1982	418,258	662,657	85,092	+329,491
1983	446,281	695,789	85,092	+334,600
1984	476,182	730,578	85,092	+339,488

Alternative C

<u>Year</u>	<u>Expenditures</u>	Property Tax Revenue	Population Based Revenue	<u>Total</u>
1980	459,633	----	85,092	-374,541
1981	597,848	631,102	85,092	+118,346
1982	523,287	662,657	85,092	+224,462
1983	558,347	695,789	85,092	+222,534
1984	595,756	730,578	85,092	+219,914

Expenditures for 1980 include all operating costs that are automatic with annexation. Capital expenditures are made in the second year. The third year and thereafter, the only costs are operational ones. All costs include a 6.7% inflationary factor for each year since the date of this report (1978). (Statistical Abstract of the United States, Bureau of the Census, TABLE #700, p.433, 1976)

Property tax would not be collected until 1981 since the assessment date is March 1. Assuming annexation December 31, 1979, assessment will take place March 1, 1980 and revenue will not be collected until 1981. An increase of 5% is included in the revenue figures since this is the expected amount of increase in the tax levy.

SUMMARY AND RECOMMENDATION

1. Indiana Annexation Statutes

In order for the City to successfully annex an area it must meet the criteria for annexation as established by the Indiana Statutes. The Statutes state that:

- A. The area proposed for annexation must have at least one eighth (1/8) or 12% of its aggregate external boundaries coincidental with the boundaries of the annexing City. The Blackhawk area is 32% contiguous to the existing corporate limits.
- B. (1) "The resident population of the area sought to be annexed is equal to at least three persons per each acre of land within its boundaries."
.....or.....
(2) "The land is zoned for commercial, business, or industrial uses
.....or.....
(3) "Sixty percent of the land therein is subdivided."
- C. "The annexing City has developed a fiscal plan and has established a definite policy to furnish the territory to be annexed within a period of three (3) years, governmental and proprietary services substantially equivalent in standard and scope" to those provided to similar areas within the City.

Police and fire protection, emergency medical service, solid waste collection, and traffic control services are considered essential for the health and safety of Blackhawk residents and will be available at standard levels upon annexation. The City will also take over street maintenance, the payment of street lighting energy costs as well as maintenance for lights that meet city standards, and rental fees for fire hydrants.

Street and street lighting improvements, other than intersection lights, will be provided on the basis of need, community priority, funding availability, and property owner petitioning and participation as described in the municipal services section of this plan. Service provision will be in accordance with regular City capital improvement planning and implementation processes.

The Financial Summary shows the cost of providing these services as well as the additional revenue the City will receive. The cost of services not requiring resident petitioning is compared with the potential revenue for the City in the Five Year Summary. Services such as street and road construction, street lighting for the entire area, as well as utility services cannot be

compared against potential revenue because these services require petitioning. Therefore, it cannot be determined when or even if, the expenses will be incurred. However, Blackhawk will be treated equally with other areas of the City with regard to the provision of these services.

2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered having other annexation criteria in addition to those set forth by the State Statutes:

A. The area proposed for annexation must have a unity of interest with the municipality.

The Blackhawk area is actually a part of the Fort Wayne urban community. Residents share their recreational and commercial facilities with city residents. The City, in return, shares its commercial and recreational facilities with Blackhawk residents. In addition, many residents of the proposed annexation area depend on the City for their livelihood since they are employed within the City of Fort Wayne.

B. The advantages to the proposed annexation area must outweigh the disadvantages.

Advantages for the annexation area include the provision of municipal services, the acquisition of a voice in City Government by the residents, and the community benefit of a more equitable tax system. Also, Barrett Bonding for capital improvement will be available for Blackhawk residents. The only major disadvantage to residents is the increase in property taxes necessary to pay for the increased municipal services.

C. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing a strong tax base and the ability to provide adequate services. Annexation of this area would help eliminate the already existing tax inequities for urbanites. City residents pay City and County taxes which help support services to the growing urbanized county residents. Yet, urban county residents do not pay city taxes to support the services they are using. Therefore, annexation is a means to insure that all urbanites share equally in the cost of urban services. Annexation will also facilitate the thorough and efficient provision of urban services.

D. As shown in Alternatives A and B in the Five Year Summary, the first year deficit is \$282,288. This deficit is paid for in the third year and from then on the City would realize a positive annual income of approximately \$330,000. Alternative C shows a first year deficit of \$374,541. This could be paid for in the fourth year after annexation, and from then on a positive amount of \$220,000 would be gained by the City.

E. The City must desire to annex the area.

The Blackhawk area is a logical extension of the City since it borders the City on two sides. Annexation of Blackhawk will help the City grow in a logical and orderly manner, as well as help preserve a solid tax base.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne, as it meets both the legal and local criteria for an acceptable and beneficial annexation.

Phyllis Crill PTC director

Phyllis Crill, 4706 Highwood Drive, has been named to the Public Transportation Corp. board. City Council approved the appointment Tuesday night.

Crill is the assistant to the director of Fort Wayne Future Inc. She previously was the administrative assistant to the city's urban grants director.

She was the unsuccessful Democratic candidate for 14th District state representative five years ago.

The Purdue University graduate is the former director of the Project on Aging and the former staff assistant to the Mayor's Commission on the Status of Women.

In other action, the council agreed to conduct a public hearing on the proposed annexation of the Blackhawk area at 7:30 p.m. April 25 in Room 126 of the City-County Building.

FORT WAYNE NEWS-SENTINEL Wed., March 21, 1979

The council also scheduled a public hearing April 25 at 7:30 p.m. in room 126 at the City-County Building on the Blackhawk annexation ordinance.

Memorandum

To The Fort Wayne Common Council

Date March 8, 1979

From John Stafford - CD & P *J. S.*

Subject Blackhawk Annexation

COPIES TO:

The proposed Blackhawk annexation ordinance, Bill No. X-77-06-26, along with the fiscal plan, has been reviewed by the City Plan Commission and given a DO PASS recommendation. The ordinance, the fiscal plan, and the Commission's recommendation are attached for your consideration. We will be available to discuss this with you.

Memorandum

To The Fort Wayne Common Council

Date March 8, 1979

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The proposed Blackhawk annexation ordinance, Bill No. X-77-06-26, along with the fiscal plan, has been reviewed by the City Plan Commission and given a DO PASS recommendation. The ordinance, the fiscal plan, and the Commission's recommendation are attached for your consideration. We will be available to discuss this with you.

Memorandum

To Councilmen

Date June 18, 1979

From John H. Logan

Subject Bill No. G-79-05-26 *(as amended)*

COPIES TO:

Please be advised that changes and corrections to existing Code Sections are indicated by the separated line (-----) drawn through provisions of existing Code. Wherever there is underlining (_____) this indicates an addition to the present Code.

J.H.L.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

IN THE ALLEN SUPERIOR COURT

CAUSE NO. S-79-2259

IN THE MATTER OF THE ANNEXATION .)
PROPOSED BY ANNEXATION ORDINANCE .)
NO. X-04-79, BEING AN ORDINANCE .)
TO ANNEX CERTAIN TERRITORY TO THE .)
CITY OF FORT WAYNE AND TO INCLUDE .)
SAME IN COUNCILMANIC DISTRICT NO. 2 .)
AFFIDAVIT IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT

Charles W. Westerman, being first duly sworn upon his oath,
deposes and says:

1. That he is the duly elected and acting Clerk of the City of Fort Wayne, Indiana, and was the duly elected and acting Clerk during the year of 1979.

2. Affiant further states that all ordinances, and records pertaining thereto, are kept and maintained in the office of the Clerk under his supervision and control, and that in particular, Annexation Ordinance No. X-04-79, and records pertaining thereto, was and is kept and maintained under his supervision and control.

3. Finally, affiant says that said records show that Annexation Ordinance No. X-04-79 was adopted by the Common Council on June 26, 1979, and approved by the Mayor on July 5, 1979; and that said ordinance and the passage thereof, was published in both of the Fort Wayne newspapers on the following dates:

July 12 and July 19, 1979

Certified copies of said publication is attached hereto, and made a part hereof.

4. Further, affiant sayeth not.

Charles W. Westerman
Charles W. Westerman

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Personally appeared before me, a Notary Public in and for said County and State, Charles W. Westerman, known to me to be the duly elected and acting Clerk of the City of Fort Wayne, Indiana.

and acknowledged the execution of the above and foregoing affidavit for the uses and purposes therein set forth.

Witness my hand and notarial seal, this 17th day of
April, 1980.

Frederick M. Farley
Notary Public, resident of Allen
County, Indiana

My Commission Expires:

2/21/84

Admn. Appr. _____

DIGEST SHEET

(as amended)

X-77-06-26

TITLE OF ORDINANCE Annexation

DEPARTMENT REQUESTING ORDINANCE Community Development & Planning - Division of Long-Range Planning and Zoning

SYNOPSIS OF ORDINANCE Ordinance annexing certain territory to the City of Fort Wayne

6-26-79

EFFECT OF PASSAGE To be explained after City Plan Commission develops written report on proposed area.

EFFECT OF NON-PASSAGE To be explained after City Plan Commission develops written report on proposed area.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained after City Plan Commission develops written report on proposed area.

ASSIGNED TO COMMITTEE (J.N.) Annexation



OFFICE OF THE CITY CLERK

THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

charles w. westerman, clerk - room 122

July 9, 1979

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of July 12, and July 19, 1979, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN.

Annexation Ordinance

Bill No. X-77-06-26
(as amended)
Annexation Ordinance No. X-04-79
(Blackhawk)

Please send us four (4) copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,

Charles W. Westerman

Charles W. Westerman
City Clerk

CWW/ne
ENCL: 1

be provided to the described territory are outlined in the fiscal plan for the territory developed by the Department of Community Development and Planning, which plan was examined, approved and adopted by the Common Council prior to the passage of this Ordinance.

SECTION 4. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 5. After its passage, approval by the Mayor and sixty days after final publication thereof as required by law, this ordinance shall be in full force and effect on December 31, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Seven
Burns, Hinga, Hunter, Moses, D. Schmidt, V. Schmidt,
Talarico
Nays: Two
Nuckols, Stier

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as Annexation Ordinance No. X-04-79 on the 26th day of
June, 1979.

ATTEST: (SEAL)

Charles W. Westerman
City Clerk

Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour
of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-04-79 passed by the Common Council on the 26th day of June, 19 79, and that said Ordinance was duly signed and approved by the Mayor on the 5th day of July, 19 79 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 5th
day of July, 1979.

GEANT

Charles W. Westerman
CHARLES W. WESTERMAN
CITY CLERK

LEGAL NOTICE

Notice is hereby given that on the 26th day of June, 19 79, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the BILL NO. X-77-06-26 (AS AMENDED) following X-04-79 ANNEXATION Ordinance, to-wit:

BILL NO. X- 77-06-26 (AS AMENDED)
ANNEXATION ORDINANCE NO. X- 04-79.

An ORDINANCE annexing certain territory to the City of Fort Wayne, and including the same in Councilmanic District No. 2

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979, to-wit:

Commencing at the intersection of the centerline of section 33, T 31, R 13 E and the north right-of-way line of Hicksville Road (East State Blvd.); thence northeasterly along the north right-of-way line of Hicksville Road (East State Blvd.), this line also being the present corporation limits, to the east line of the northwest $\frac{1}{4}$ of section 34, T 31 N, R 13 E; thence south along said east line of northwest $\frac{1}{4}$ of section 34 (assumed to be the northerly projection of west line of lot #2 in Browning Subdivision of Kercheval Reserve) to the northwest corner of lot #2 in Browning Subdivision of Kercheval Reserve as recorded in deed book W, pages 387-388; thence continuing in a southerly direction along the west line of said lot #2 in Browning Subdivision to a point located 262.68± feet north of the southwest corner of said lot #2 in Browning Subdivision, said point more particularly described as being the northwest corner of lot #77 of Lake Forest Extended, Section III as recorded in plat book 33, pages 19-20; thence east on a line parallel to and 262.68± feet north of the south line of Lots 1 & 2 of said Browning Subdivision to the westerly right-of-way line of Maysville Road (Lake Avenue) thence southwesterly on the west right-of-way of Maysville Road to the west line of said Kercheval Reserve; thence in an easterly direction along the north right-of-way line of North River Road to east line of Kercheval Reserve; thence north along the east line of Kercheval Reserve to the north line of Valley Meadows

Section III; thence west along the north line of Valley Meadows Section III to the east right-of-way of Maysville Road; thence northeasterly along the east right-of-way line of the Maysville Road to the south right-of-way line of Hicksville Road (East State Street); thence west along the south right-of-way line of Hicksville Road to a projection of the west right-of-way line of the Lahmeyer Road; thence north along said west right-of-way line of Lahmeyer Road to the south right-of-way line of Trier Road; thence west along south right-of-way line of Trier Road to centerline of section 33, T 31 N, R 13 E, thence south on said centerline section 33 to intersection of north right-of-way line of Hicksville Road the point of beginning. An area of approximately 800 acres.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of (3) three years, governmental and proprietary services substantially equivalent in standard and scope to the governmental and proprietary services furnished by the annexing city to other areas of the city which have characteristics of topography, patterns of land utilization and population density similar to said described territory.

Common Council

(Governmental Unit)

Allen

County, Ind.

To JOURNAL-GAZETTE Dr.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

1

Body number of lines

172

Tail number of lines

2

Total number of lines in notice

175

COMPUTATION OF CHARGES

175	lines,	1	columns wide equals	175	equivalent lines at	.259	\$ 45.33
			cents per line				

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra copies @ .50

TOTAL AMOUNT OF CLAIM. 46.83

DATA FOR COMPUTING COST

Wide line also being the present corporation limits, to the east line of the northwest 1/4 of section 34, 31 N. 13 E., thence west along said east line of northwest 1/4 of section 34 (as supposed to be the northerly projection of the south line of Browning Subdivision of Kercheval Reserve) to the northwesterly corner of lot 2 in Browning Subdivision of Kercheval Reserve as recorded in deed book W, pages 387-388; thence continuing in a southerly direction along the south line of northwest 1/4 in Browning Subdivision to a point located 262.68 feet north of the southwesterly corner of lot 2 in Browning Subdivision said point more particularly described as being the northerly corner of the southwesterly corner of lot 2 in Browning Subdivision as recorded in Extended Section 33 as recorded in plat book 33, pages 19-20; thence east on the south line of lot 2 in Browning Subdivision to the south of the south line of Lots 1 & 2 of said Browning Subdivision to the westerly right-of-way line of Maysville Road (Lawrence Avenue) thence southwesterly on the west right-of-way of Maysville Road to the southwesterly corner of the south line of Kercheval Reserve; thence hence in an easterly direction along the west right-of-way line of Maysville Road to the southwesterly corner of the south line of Kercheval Reserve; thence north along the east line of Kercheval Reserve to the northwesterly corner of lot 3 in Browning Subdivision; Section 33 to the east right-of-way of Maysville Road; thence northwesterly along the east right-of-way line of Maysville Road to the southwesterly corner of the south line of Trier Road to centerline of the southwesterly corner of lot 3 in Browning Subdivision; thence south on said centerline section 33 to intersection of north right-of-way line of Hicksville Road and the point of beginning. An area of approximately 800 acres.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of (3) three years, governmental and public services and governmental equivalent in standard and scope to the governmental and private services rendered by the city to other areas of the city which have characteristics of topography, patterns of land utilization, and other conditions similar to said described territory.

5 1/2 point

Pursuant to the provisions of the Annexation Ordinance of July 17, 1979, (AS AMENDED) following X-67-1979 ANEXATION ORDINANCE, I, K. W. DeWald, (AS AMENDED) ANNEXATION ORDINANCE NO. X-67-1979, do hereby certify that the City of Fort Wayne, and including the same in Councilmanic District No. 2, has annexed to the City of Fort Wayne, the following described territory:

SECTION 1. That the following described territory be and the same is hereby, annexed to and made a part of the City of Fort Wayne, Indiana, effective July 31, 1979, to-wit:

Grounds at the intersection of the centerline of section 33, T 31, R 13 E. and the north right-of-way line of Hicksville Road (Lawrence Avenue, State Blvd.), thence northerly along the north right-of-way line of Hicksville Road (East State Blvd.), this

of Community Development and Planning, which plan was examined, approved and accepted by the Common Council prior to the passage of this Ordinance.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 1 of the Annexation Ordinance of the City of Fort Wayne, Indiana 1974.

SECTION 3. After its passage, application and publication in the newspaper of record, and three (3) years after final publication thereof as required by law, this ordinance shall be in full force and effect on December 31, 1979.

James S. Stier, Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, passed and approved by the Common Council of the City of Fort Wayne, Indiana 1974.

SECTION 4. After its passage, application and publication in the newspaper of record, and three (3) years after final publication thereof as required by law, this ordinance shall be in full force and effect on December 31, 1979.

AYES: Seven

BROWN, Hinga, Hunter, Moses, D.

NAYS: Two Nuckles, Stier Date:

6-26-79

Charles W. Westerman, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, on the 26th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

ATTEST: (S/AL) Charles W. Westerman, City Clerk

Winfield C. Mosier Jr., Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

Approved and signed by me this day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.

Robert E. Armstrong, Mayor

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman, City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and correct copy of the Annexation Ordinance No. X-67-1979 passed by the Common Council on the 26th day of June, 1979, that said Ordinance is now signed and approved by the Mayor on the 5th day of July, 1979 and now remains on file and on record.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 28th day of July, 1979.

Charles W. Westerman, City Clerk

19 th July 1979
day of

on which type is cast 5 1/2...

legally due, after allowing all just credits, and that no part of the same

Avilla DeWald

Title: CLERK

VIT

notary public in and for said county and state, the A DEWALD who, being duly sworn, says

CLERK of the

newspaper of general circulation printed and published

FORT WAYNE, INDIANA

that the printed matter attached hereto is a true copy, for two times, the dates of publication being

July 28, 1979

Notary Public

Common Council

(Governmental Unit)

Allen

County, Ind.

To **JOURNAL-GAZETTE** Dr.**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head	number of lines	1
Body	number of lines	172
Tail	number of lines	2
Total number of lines in notice		175

COMPUTATION OF CHARGES

175 lines, 1 columns wide equals	175 equivalent lines at .259	\$ 45.33
cents per line					

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra copies @ .50	1.50
TOTAL AMOUNT OF CLAIM.	
	\$ 46.83

DATA FOR COMPUTING COST

Width of single column 9.9 cms	Size of type 5 1/2 point
Number of insertions 2	Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arvilla De Wald*Date **July 19** 79

Title CLERK

Section of the

D.

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned..... **ARVILLA DE WALD**..... who, being duly sworn, says that she is..... **CLERK**..... of the..... **JOURNAL-GAZETTE**..... newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA**in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**....., the dates of publication being as follows:**7/12 -7/19/79**Subscribed and sworn to before me this **19**th day of **July** 1979*Arvilla De Wald***September 28, 1979**

Notary Public

My commission expires

Common Council

(Governmental Unit)

Allen

County, Ind.

To **NEWS-SENTINEL** Dr.**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM**

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

Head number of lines

1**172****2****175**

CO **Legal Notice**
 Notice is hereby given that on the 28th day of June, 1979, the Common Council of the City of Fort Wayne, Indiana, did pass the BILL NO. X-77-06-26 (AS AMENDED) following X-04-79 ANNEXATION ORDINANCE, and the BILL NO. X-77-06-26 (AS AMENDED) ANNEXATION ORDINANCE.

AN ORDINANCE annexing certain territory to the City of Fort Wayne, and making the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA: THAT the following description of land, hereinafter described, is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, effective December 31, 1979, to wit:

Commencing at the intersection of the centerline of section 33, 31, 31, 13 E, and the north east-west line of Hicksville Road (East State Blvd.), thence northeasterly along the east side of Hicksville Road (East State Blvd.), this line also being the present corporation line of the City of Fort Wayne, thence northwest $\frac{1}{4}$ of section 34, T 31 N, R 13 E; thence south along said east line to the intersection of the same as aforesaid to be the northerly projection of west line to 2 in Browning Subdivision of Karcher Reserve to the northerly corner of lot 2 in Browning Subdivision of Karcher Reserve as recorded in deed book #4, page 387, and thence continuing in a southerly direction along the west line of lot 2 in Browning Subdivision of Karcher Reserve, as recorded by the Department of Community Development and Planning, which plan was examined, approved and recorded by the Common Council prior to the passage of this Ordinance.

SECTION 1. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, and shall be subject to section 2,9 of Article II of the Code of the City of Fort Wayne, Indiana 1974.

SECTION 2. It is the intent of the Mayor and sixty days after final publication thereof as required by law, this ordinance shall be in full force and effect on December 31, 1979.

James S. Stier
Councilman

Read the third time in full and on motion by Stier, seconded by V. Schmidt, and duly adopted, placed on its passage, PASSED by the following vote:

AYES: Seven
 Burns, Hinge, Hunter, Moses, D. Schmidt, V. Stier, T. Tamm
 NAYS: Two Nuckols, Stier Date: 6-26-79.

Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance, X-04-79 on the 28th day of June, 1979.

ATTEST:

Charles W. Westerman
City Clerk
Winfield C. Moses, Jr.
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 27th day of June, 1979, at the hour of 11:30 o'clock P.M., E.S.T.
 Charles W. Westerman
City Clerk

Approved and signed by me this 5th day of July, 1979, at the hour of 3:30 o'clock P.M., E.S.T.
 Robert E. Armstrong
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of the Annexation Ordinance No. X-04-79 passed by the Common Council on the 28th day of June, 1979, and that the same was duly signed and approved by the Mayor on the 27th day of July, 1979 and now lies on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 5th day of July, 1979.

Charles W. Westerman
City Clerk**PUBLISHER'S CLAIM**

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) -- number of equivalent lines

1**172****2****175****45.33****1.50****46.83**

1 columns wide equals 175 equivalent lines at 259

line containing rule or tabular work (50 per cent of above amount)

of publication (50 cents for each proof in excess of two) **3 extra copies 6.50**

UNIT OF CLAIM.

9.9 cms

Size of type 5 1/2 point

2

Size of quad upon which type is cast, 5 1/2...

Pursuant to Ch. 89, Acts 1967.

I hereby certify that the amount claimed is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Date Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, V. E. GERKEN, who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published

in the English language in the city town of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: **7/12 - 7/19/79**

Subscribed and sworn to before me this 19th day of July, 1979, Harry V. Gerken, Notary Public

September 28, 1979

Common Council

(Governmental Unit)

Allen

County, Ind.

To.....

NEWS-SENTINEL

Dr.

FORT WAYNE, INDIANA**PUBLISHER'S CLAIM**

LINE COUNT

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COMPUTATION OF CHARGES

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 3 extra copies .50	1.50
--	-------------

TOTAL AMOUNT OF CLAIM.

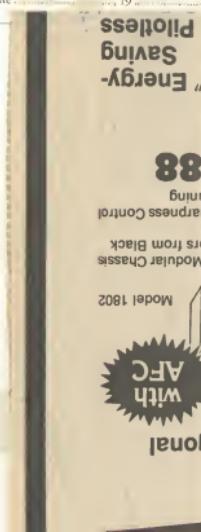
\$

DATA FOR COMPUTING COST

Width of single column 99 ems	Size of type..... 5 1/2 point
Number of insertions 2	Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **July 19 1979**Title..... **CLERK**

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS.Personally appeared before me, a notary public in and for said county and state, the undersigned..... **V. E. GERKEN**..... who, being duly sworn, says that she is..... **CLERK**..... of the..... **NEWS-SENTINEL**.....a..... **DAILY**..... newspaper of general circulation printed and published in the English language in the city of..... **FORT WAYNE, INDIANA**.....in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for..... **two times**....., the dates of publication being as follows: **7/12 - 7/19/79**

Subscribed and sworn to before me this

19 th**JULY**

My commission expires.....

September 28, 1979

Notary Public